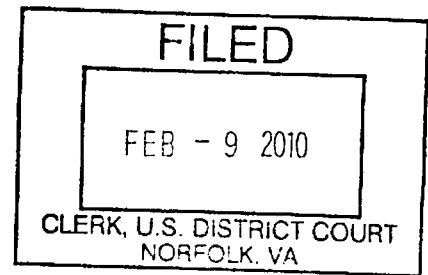


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division



S.E.A. SOLUTIONS CORPORATION

Plaintiff,

v.

Civil Action No. 2:10cv64

M/V PETER M, *in rem*,

Defendant.

**MOTION FOR APPOINTMENT OF A SUBSTITUTE CUSTODIAN  
AND MEMORANDUM IN SUPPORT**

Pursuant to Local Admiralty Rule (e)(14)(c), Plaintiff, S.E.A. SOLUTIONS CORPORATION, by and through its undersigned counsel, moves this Court for an Order appointing Jason Podd as the Substitute Custodian for M/V PETER M ("Vessel"), and in support of said motion represents the following:

1. On or about February 9, 2010, Plaintiff initiated the above-styled cause against Vessel, its engines, tackles, equipment and appurtenances.
2. On or about February 9, 2010, the Clerk of the District Court issued Warrant of Arrest against Vessel directing the U.S. Marshal to take custody of the Vessel and to retain custody of the Vessel pending further order of this Court.
3. It is contemplated that subsequent to the issuance of the Warrant of Arrest the Marshal will take steps to immediately seize the Vessel. Thereafter, continual custody by the Marshal will require the services of at least one custodian at substantial cost.
4. Subject to the approval of the Court, the proposed Substitute Custodian, Jason Podd,

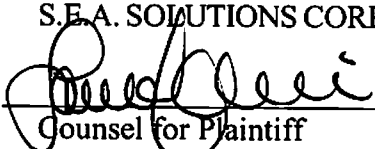
is prepared to provide insurance, security, wharfage, and routine services for the safekeeping of the Vessel at a cost substantially less than that presently required by the Marshal. The Substitute Custodian has also agreed to continue to provide these services pending further order of this Court.

5. Jason Podd has adequate facilities for the care, maintenance and security of the Vessel and insurance in the amount, form and substance required by the Court. In discharging its obligations the Substitute Custodian shall comply with all orders of the Captain of the Port, United States Coast Guard, including, but not limited to, an order to move Vessel and any applicable federal, state and local laws and regulations pertaining to the Vessel and port safety.

6. Pending the Court's approval of the Motion for Appointment of Substitute Custodian, the Plaintiff and the Substitute Custodian have file concurrently herein a Consent and Indemnification Agreement in accordance with Local Admiralty Rule (e)(14)(c).

THEREFORE, in accordance with the representations set forth in this instrument, and subject to approval of the indemnification agreement noted in paragraph (6) above, Plaintiff requests this Court to enter an order appointing Jason Podd as the Substitute Custodian for the M/V PETER M.

Dated: Tuesday, February 09, 2010

S.E.A. SOLUTIONS CORPORATION  
By:   
Counsel for Plaintiff

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